

March 17, 2011

Chairman Walsh and Committee Members:

We are 78-year-old grandparents. We would like to make a few comments regarding the Adam Walsh Act compliance legislation (SB 188 and SB 189), and why we feel that non-violent/low-risk sex offenders which are not a threat to society, like our granddaughter and all the young adults with similar circumstances, should have the ability to petition for removal from the Sex Offender Registry, with the petitioning criteria not so restrictive. You know the statistics...that more than 90% of new offenses are committed by new offenders, but we're still punishing all 100%. Also, re-offending occurs within three years. We feel that a risk assessment should be the main determining factor based on individual cases. We just wish you would have a one-on-one conversation with our granddaughter, or any of the young people. You would find that they are certainly not a threat to society, but an asset.

Our granddaughter was very heavily involved with drugs as a teenager, and at the age of 19 (she is now 27) she had consensual sex with a 14-year-old boy. She was not lurking behind a bush to commit a predatory act, nor was she in a position of authority, but made a VERY BAD CHOICE, for which she deeply regrets, as is the case with many other young adults on the SOR.

Our granddaughter served 2-1/2 years in prison (released November, 2005), and has successfully completed two years of parole, substance abuse counseling, and individual/group sex offender therapy for her BAD CHOICES. I am pleased to say that she has been clean from drugs for 8 years. She started college in January 2006. She testified, along with several other young adults in front of a Sub-Committee of the House Judiciary in March, 2006 with the hope that the structural flaws of the registry would be repaired. She also testified in November, 2009 at the Committee on Health Policy in opposition to HB 4468, 4469, 4195 & 5043, which would have banned ALL Registered Sex Offenders from receiving their license to practice in the healthcare field, which encompassed many professions, including janitors. That would have meant for her, a hard-earned education, not to mention the many thousands of dollars owing in student loans, being all for naught. She has earned her CADC (Certified Alcohol and Drug Counselor). She was very fortunate to gain full-time employment with a community service organization that is very forgiving of the individual who has made bad choices; offering opportunity for a second chance. Working and attending classes in the evening. She was there for over a year as a case manager and working with clients enrolled in the MPRI (Michigan Prisoner Re-entry Initiative), and writing the "Policy and Procedure Manual" for that program. She has now been employed by another community service organization as a full-time addictions counselor since June, 2008. She received her Bachelor of Science in Addiction Studies (summa cum laude) December, 2008. She was accepted into the U of D Mercy Master's of Counseling Program that began in January, 2009. She started her fourth semester in January 2010, and will receive her Master of Arts in Community Counseling, summer 2011. She has a scheduled interview to enter the Social Work Program for her Ph.D. Since beginning college in 2006, she has had just one summer off. She is an amazing young woman pressing on toward excellence in the profession of helping people and being an asset to society, despite the hurdles that the current SOR brings.

We've made bad choices in our lives...maybe you have too. Some were a growing-up experience, but we've had second chances to make-up for them. If only ALL registrants would be given an opportunity to PROVE that they are not a risk to re-offend, by either their TIER level being changed, OR be removed from responsibilities altogether. Allowing Judges to use their discretion in NOT granting a petition, as well as, GRANTING one based on actual facts of the case, especially, if registration time is lengthened. THAT IS, if you truly want to provide a registry based on risk to re-offend.

When did we as a society stop adhering to the idea that if you do the crime, you do the time...and when you're released, your debt to society is fulfilled. If you're a sex offender, as in her case, with this legislation, being listed as a TIER III, her debt to society will not be for 25 years, but for LIFE!

We cannot wrap our minds around how this can be. They are trying desperately to be the normal, productive citizens they are expected to be but are hampered at every turn...even more so with this legislation. They are not allowed to forget the past and move on because they are reminded of it every three months when they must report to law enforcement and register. They can't live here, nor there...and, when they do find housing, they are denied with the landlord responding, "Sorry, we do not want sex offenders".

And now, this legislation would make their lives an "OPEN BOOK" on the "PUBLIC INTERNET". We feel this is SEVERE punishment, and would be devastating to the non-violent, low-risk offenders, of which there are many. What will ALL of the detailed information being made available to the general public actually accomplish in making the registry fair, and effective? God forbid that it will serve as a perfect set of tools for anyone with vigilante tendencies.

Are they not ostracized from society enough at the present time. How long do we punish them after they leave prison? Should they not be rewarded for the changed life they are now living, and not continue to be punished, based on the offense that they have already paid for.

By all means keep watch on the worst and the most predatory, the ones that are a danger to society, but let's not become an intolerant, hostile nation to those who aren't, continuing to seek revenge. Our hearts break for these young adults.

Week after week John Walsh on "America's Most Wanted" refers to ALL on the registry as "scumbags", and should be locked-up for life. While all people can feel for his personal loss, these young adults should in no way be deemed PREDATORS, OR SCUM-BAGS.

We would like for you to ponder for a moment the fact that we would have to live to be 96-years-old to be able to celebrate with our granddaughter the day she should be removed from the registry, May 23, 2028, in her mid-forties, the age of her parents and possibly some of you. NOW, that day will NEVER come.

Some states have opted-out due to the cost of funding the implementation and maintaining it. Since Governor Snyder is trying his best to cut spending and Washington, on the verge of bankruptcy and issuing another un-funded mandate, where WILL the funding come from?

Maybe with the glimpse we've given you into our granddaughter's life, you can understand why we have a heavy heart and deeply concerned. We are hopeful that this body will show mercy and bring common sense into this legislation so that true justice, which is so badly needed, may be rendered.

Thank you for your attention to our concerns with this life-altering situation.

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